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3 Nevada State Bar No. 11479  
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6 Attorney for Jay Yang  
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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 JAY YANG,  
14 Defendant.

Case No. 2:16-mj-315-CWH

**STIPULATION TO CONTINUE  
PRELIMINARY HEARING**  
(First Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden,  
17 United States Attorney, and Alexandra M. Michael, Assistant United States Attorney, counsel  
18 for the United Stated of America, and Rene L. Valladares, Federal Public Defender, and  
19 Rebecca A. Levy, Assistant Federal Public Defender, counsel for Jay Yang, that the Preliminary  
20 Hearing currently scheduled on Monday, May 23, 2016 at 4:00 p.m., be vacated and continued  
21 to a date and time convenient to the Court, however no sooner than thirty (30) days.

22 This Stipulation is entered into for the following reasons:

- 23 1. The defendant is detained but agrees with the continuance.  
24 2. Counsel for the defendant will require additional time to review and investigate  
discovery, and meet with the client to discuss the details prior to proceeding.

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2       3. Both parties agree to the continuance.

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4       4. Additionally, denial of this request for continuance could result in a miscarriage  
of justice.

5       5. The additional time requested by this stipulation is excludable in computing the  
6 time within which the defendant must be indicted and the trial herein must commence pursuant  
7 to the Speedy Trial Act, 18 U.S.C. §§ 3161(b) and 3161(h)(8)(A), considering the factors under  
8 18 U.S.C. § 3161(h)(8)(B)(i) and (iv).

9             This is the first request for continuance filed herein.

10          DATED this 16<sup>th</sup> day of May, 2016.

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12          RENE L. VALLADARES  
Federal Public Defender

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14          */s/ Rebecca A. Levy*  
By \_\_\_\_\_  
15          REBECCA A. LEVY  
Assistant Federal Public Defender

DANIEL G. BOGDEN  
United States Attorney

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17          */s/ Alexandra M. Michael*  
By \_\_\_\_\_  
18          ALEXANDRA M. MICHAEL  
Assistant United States Attorney

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
JAY YANG,  
Defendant.

Case No. 2:16-mj-315-CWH

## **ORDER**

Based on the Stipulation of counsel, good cause appearing, and the best interest of justice being served; the time requested by this stipulation being excludable in computing the time within which the defendant must be indicted and the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(b) and 3161(h)(8)(A), considering the factors under 18 U.S.C. § 3161(h)(8)(B)(i) and (iv):

IT IS THEREFORE ORDERED that the Preliminary Hearing currently scheduled on Monday, May 23, 2016 at the hour of 4:00 p.m., be vacated and continued to June 24, 2016 at 4:00 p.m.

DATED: May 18, 2016

**UNITED STATES MAGISTRATE JUDGE**